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# NOTICE OF ALLOWANCE AND FEE(S) DUE

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08/10/2005

STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005 EXAMINER

KALIVODA, CHRISTOPHER M

ART UNIT PAPER NUMBER

2883
DATE MAILED: 08/10/2005

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705 220	11/12/2003	Setsuo Yoshida	1344.1127	3544

TITLE OF INVENTION: VARIABLE OPTICAL FILTER AND OPTICAL TRANSMISSION SYSTEM USING SAME, AND METHOD OF CONTROLLING VARIABLE OPTICAL FILTER

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	11/10/2005

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. <u>PROSECUTION ON THE MERITS IS CLOSED</u>. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

#### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

### PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where

(Signatur	indicated unless corrected by maintenance fee notification	pelow or directed otherwise is.	in Block 1, by (a) specify	ying a new co	rrespondence addres	ss; and/or (b) indicating a sepa	arate "FEE ADDRESS" for
2117 7590 08107005 STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005  APPLICATION NO. PILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10705,220 11/12/2003  APPLICATION NO. PILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10705,220 11/12/2003  TOTO 5,220 11/12/2003  Seesuo Yoshida 1344.1127 3544 TITLE OF INVENTION: VARIABLE OPTICAL FILTER AND OPTICAL TRANSMISSION SYSTEM USING SAME, AND METHOD OF CONTROLLING VARIABLE OPTICAL FILTER AND OPTICAL TRANSMISSION SYSTEM USING SAME, AND METHOD OF CONTROLLING VARIABLE OPTICAL FILTER NO. 51400 \$300 \$1700 \$11/10/2005  EXAMPLE NO. CHARGES OF CONTROLLING VARIABLE OPTICAL FILTER AND OPTICAL TRANSMISSION SYSTEM USING SAME, AND METHOD OF CONTROLLING VARIABLE OPTICAL FILTER NO. 51400 \$300 \$1700 \$11/10/2005  EXAMPLE NO. CHARGES OF CONTROLLING VARIABLE OPTICAL FILTER AND OPTICAL FILTER OF NO. 51400 \$300 \$1700 \$11/10/2005  EXAMPLE NO. CHARGES OF CONTROLLING VARIABLE OPTICAL FILTER NO. 51400 \$300 \$1700 \$11/10/2005  EXAMPLE NO. CHARGES OF CONTROLLING VARIABLE OPTICAL FILTER NO. 51400 \$300 \$1700 \$11/10/2005  L. Change of correspondence address of indication of "Fee Address" of Clange of Correspondence Address of indication of "Fee Address" of Clange of Correspondence Address of Indication of "Fee Address" of Clange of Correspondence address of Clange of Correspondence Address of The Clange of Correspondence address of Clange of Correspondence Address of Indication of "Fee Address" of Clange of Correspondence address of Clange of Correspondence Address of The Clange of Correspondence Ad	CURRENT CORRESPONDENCE	E ADDRESS (Note: Use Block 1 for	any change of address)		Fee(c) Transmittal T	This certificate cannot be used t	for any other accompanying
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"Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.  3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)  PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed it recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.  (A) NAME OF ASSIGNEE  (B) RESIDENCE: (CITY and STATE OR COUNTRY)  Please check the appropriate assignee category or categories (will not be printed on the patent):   Individual   Corporation or other private group entity   Government of the following fee(s) are enclosed:   A check in the amount of the fee(s) is enclosed.   A check in the amount of the fee(s) is enclosed.   Payment by credit card. Form PTO-2038 is attached.   The Director is hereby authorized by charge the required fee(s), or credit any overpayment, Deposit Account Number   Cenclose an extra copy of this form).  5. Change in Entity Status (from status indicated above)   A phylicant claims SMALL ENTITY status. See 37 CFR 1.27.   D. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).  The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party interest as shown by the records of the United States Patent and Trademark Office.		dence address (or Change of	Correspondence (1) ti			tent attorneys	
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4b. Payment of Fee(s):    As check in the amount of the fee(s) is enclosed.   Publication Fee (No small entity discount permitted)   Advance Order - # of Copies   Payment by credit card. Form PTO-2038 is attached.   The Director is hereby authorized by charge the required fee(s), or credit any overpayment, Deposit Account Number   (enclose an extra copy of this form).    Applicant claims SMALL ENTITY status. See 37 CFR 1.27.   B. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).   The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party interest as shown by the records of the United States Patent and Trademark Office.    Authorized Signature   Date   Date   Registration No.   Registration No.   Registration No.	(A) NAME OF ASSIGN	EE	(B) RESII	DENCE: (CIT	Y and STATE OR C	OUNTRY)	
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□ Issue Fee □ A check in the amount of the fee(s) is enclosed. □ Publication Fee (No small entity discount permitted) □ Payment by credit card. Form PTO-2038 is attached. □ Advance Order - # of Copies □ □ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, Deposit Account Number □ (enclose an extra copy of this form).  5. Change in Entity Status (from status indicated above) □ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. □ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).  The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party interest as shown by the records of the United States Patent and Trademark Office.  Authorized Signature □ Date □ Registration No. □ Registration No					☐ Individual ☐	Corporation or other private gr	oup entity Government
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Deposit Account Number			_	•			1:4
a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).  The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party interest as shown by the records of the United States Patent and Trademark Office.  Authorized Signature  Date   Typed or printed name Registration No	Advance Order - # of	Copies	Deposi	it Account Nu	nber	enclose an extra c	copy of this form).
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HOW 1440 Alexandria Vizinia 77717 1460 DO MOYE CUMD EEEC OU COMMITTEE ECOMO TO THE ADDRESS CHAIR TO Commission of Facility B Day 147	an application. Confidential submitting the completed at this form and/or suggestions.	ity is governed by 35 U.S.C pplication form to the USPT s for reducing the burden, s	. 122 and 37 CFR 1.14. The Control of the Chief SENIOR SERVICE CONTROL OF CON	his collection i	s estimated to take 1 ndividual case. Any fficer, U.S. Patent an	2 minutes to complete, includi comments on the amount of the nd Trademark Office, U.S. Der	ng gathering, preparing, and ime you require to complete partment of Commerce, P.O.

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10/705,220 11/12/2003		11/12/2003	Setsuo Yoshida	1344.1127	3544	
21171 7590 08/10/2005				EXAMINER		
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	ASHINGTON, DC 20005			2883		
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# Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.